



THE CITY OF SAN DIEGO  
**MANAGER'S REPORT**

DATE ISSUED: June 8, 2005 REPORT NO. 05-133

ATTENTION: Honorable Mayor and City Council  
Docket of June 13, 2005

SUBJECT: Adoption of the 2004 California Electrical Code

SUMMARY

Issues:

Should the City Council adopt an ordinance amending the Municipal Code to incorporate the current edition of the California Electrical Code with related amendments?

Manager's Recommendation: Adopt the ordinance as proposed.

Land Use & Housing Committee Recommendation:

The committee voted 5-0 to approve the Manager's recommendation.

Other Recommendations:

The Board of Building Appeals and Advisors approved the amendment package as submitted at their March 10, 2005 meeting and recommended that the Land Use and Housing Committee adopt the 2004 California Electrical Code and approve the proposed amendments to the San Diego Municipal Code as proposed.

Fiscal Impact: Administration of the Building and Fire codes is based upon a fee for service paid for by applicants in the development process.

Housing Affordability Impact:

The proposed 2004 California Electrical Code adoption action follows prior action taken by the State of California, and will not result in additional impact to the cost of housing

beyond the statewide impact caused by the State action. The Municipal Code amendments are administrative in nature and will minimally impact the cost of housing.

## BACKGROUND

Every three years the City of San Diego adopts the latest editions of the California Building Codes and Fire Code. This is done in coordination with the State of California's adoption of these codes. This procedure provides an additional opportunity to modify local regulations and maintain local and statewide consistency.

The State adoption process during the 2004 Code cycle differs from that of past years in that the adoption of the latest editions of the Building, Fire, Mechanical and Plumbing codes will be delayed. It is expected that the Mechanical and Plumbing Code will be adopted in 2006 and that the Building and Fire Code will be adopted in late 2007 or early 2008.

The City's building and fire safety regulations are incorporated in the San Diego Municipal Code as shown below:

1. Chapter 5 Article 5 contains the Fire Code;
2. Chapter 11 Article 1 includes the Board of Building Appeals and Advisors regulations;
3. Chapter 11 Article 2 Division 2 includes procedures for unsafe buildings;
4. Chapter 12 Article 9 Division 1 outlines general construction permit authority and procedures;
5. Chapter 12 Article 9 Division 2 and Chapter 14 Article 5 contain building permit procedures and the Building Code amendments;
6. Chapter 12 Article 9 Division 3 and Chapter 14 Article 6 contain electrical permit procedures and the Electrical Code amendments; and
7. Chapter 12 Article 9 Division 4 and Chapter 14 Article 7 contain Plumbing and Mechanical Code permit procedures and the Plumbing and Mechanical Code amendments.

This ordinance amends the San Diego Municipal Code Chapters and Articles so as to adopt the 2004 Edition of the California Electrical Code (2002 NEC with State amendments). Adoption of this ordinance will update the City's building standards for all types of buildings to reflect the most recent improvements in design and construction techniques.

The proposed changes to the San Diego Municipal Code are non-substantive in nature.

Subsequent to being heard at LU & H, City staff decided to eliminate proposed language that was to be a part of a new Section §129.0318. The proposed language discussed permit processing requirements for photovoltaic permits. This additional photovoltaic permit processing language will be incorporated into an Information Bulletin published by

Development Services.

## DISCUSSION

State law requires that, except for local climatic, geological, or topographical conditions, all jurisdictions adopt and enforce the same regulations which are adopted by the State. As a result, all cities in the San Diego metropolitan area and the County are in the process of adopting the 2004 edition of the California Electrical Code with a minimum of local amendments. As such, this will result in substantial uniformity with the County and all other local jurisdictions within San Diego County, and the State of California.

Copies of the amendments to the Municipal Code incorporated in this ordinance have been distributed to the principal building industry organizations in the county (list attached). A public hearing was also held by the Board of Building Appeals and Advisors to review the proposed amendments. The Board voted to recommend to the Land Use and Housing Committee adoption of the 2004 California Electrical Code with changes to the Municipal Code as proposed in this ordinance.

The State of California has mandated an effective date of August 1, 2005 for the adoption of the 2004 California Electrical Code. Approval of these amendments in coordination with the State mandate will improve the City's administration and implementation of these codes.

## ALTERNATIVE

Do not recommend adoption of this ordinance. This will result in enforcement of State regulations without proposed local amendments in connection with all building construction.

Respectfully submitted,

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Gary Halbert  
Development Services Director

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Approved: Ellen Oppenheim  
Acting Deputy City Manager

OPPENHEIM /AMF

Note: The attachments are not available in electronic format. A copy for review is available in the Office of the City Clerk.

Attachments: 1. Outreach list  
2. Ordinance  
3. Strikeout/Underline